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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,721	06/29/2000	DOMINIC DESMOND PHELM O'NEILL	84625-000200	8391

7590 11/21/2003

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SUITE 2700
DENVER, CO 80202-5827

EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

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DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/582,721

Applicant(s)

O'NEILL, DOMINIC DESMOND
PHELM

Examiner

DANH C LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipate by Dettinger (US 6,199,069).

As to claim 1, Dettinger teaches the telecommunication network having at least one database of functions for controlling the network (figure 3), said database comprising at least a data function (216, 218) and a data control function (214);

characterised in that:

the database is replicated a plurality of times (254, 256, 258), the database of one of said replicated databases is a primary database (260), the data control function of which is arranged to generate signals for synchronised updating of all of said replicated databases, and at least a second database (262) is a primary standby database, the data control function of which is arranged to generate signals for synchronised updating of all of said replicated databases in the event of a failure of said primary database (col.6, line 49-col.8, line 47).

As to claim 2, Dettinger teaches the network according to claim 1, wherein a plurality of databases are primary standby databases (col.6, lines 1-27).

As to claim 3, Dettinger teaches the network according to claim 1, wherein databases other than said primary database and said primary standby database are secondary databases and are arranged to signal to said primary and/or said primary standby database when they have been updated in response to the updating signals from said primary or said primary standby database (col.6, line 49-col.8, line 47).

As to claim 4, the claim is a method of the claim 1, therefore; the claim is interpreted and rejected as set forth in the claim 1.

As to claim 5, Dettinger teaches the telecommunications network (figure 3) comprising:

- a primary database (260) having at least a data function (216) and a data control function (214); and

- a plurality of secondary (254, 256, 258) databases which are replicas of the primary database, wherein at least one of the secondary databases is a primary standby database (262);

- wherein the data control function of the primary database is arranged to generate signals for synchronised updating the secondary databases, and wherein the data control function of the primary standby database is arranged to generate signals for synchronised updating of all of the secondary databases in the event of a failure of the primary database (col.6, line 49-col.8, line 47).

As to claim 6, Dettinger teaches the network according to claim 5, further comprising a plurality of primary standby databases (col.6, lines 1-27)..

As to claim 7, Dettinger teaches the network according to claim 5, wherein the secondary databases other than the primary database are arranged to signal to the primary and/or the primary standby database(s) when they have been updated in response to the updating signals from the primary database (col.6, line 49-col.8, line 47).

As to claim 8, the claim is a method of the claim 5, therefore; the claim is interpreted and rejected as set forth in the claim 5.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Yanaka et al (US 5,946,689) teaches the distributed database system and method of detecting contention in data update involved in replication of database data.

B. Ronstrom et al (US 6,189,017) teaches the method to be used with a distribution data base and a system adapted to work according to the method.

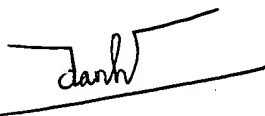
Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A handwritten signature in black ink, appearing to read "Danh", is written over a horizontal line.

Danh C.Le

A handwritten signature in black ink, appearing to read "W. Trost", is written above the printed name.

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600